

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**JOSHUA L. BARRICKS**

*Plaintiff,*

**v.**

**JAMES R. WRIGHT**

*Defendant.*

**Civil Action No.: 7:23-cv-00551**

**PLAINTIFF’S MOTION IN LIMINE TO EXCLUDE  
CAPTAIN COREY M. WEBB’S EXPERT OPINIONS**

Plaintiff Joshua L. Barricks (“Mr. Barricks”), by and through counsel, files this Motion in Limine to Exclude Captain Corey M. Webb’s Expert Opinions.

1. On May 30, 2024, Defendant James R. Wright (“Defendant”) served his Rule 26(a)(2) Expert Witness Disclosure identifying Captain Corey M. Webb as an expert witness.

2. Captain Webb’s use of force opinions do not comply with Rule 702 of the Federal Rules of Evidence and the requirements of *Daubert v. Merrell Dow Pharms., Inc.*, 509 U.S. 579 (1993) and its progeny.

3. Captain Webb’s use of force opinions fail the reliability requirement under Rule 702 and *Daubert* because they amount to *ipse dixit* and they do not rely on sound methodology and reliably-backed principles.

4. Captain Webb’s “justified and not excessive” opinion constitutes an improper legal conclusion, thereby invading the province of the jury and failing the helpfulness prong of Rule 702.

5. Pursuant to Western District of Virginia Local Rule 11(c)(1), the full basis of

Plaintiff's Motion is set forth in the accompanying memorandum of law and the exhibits attached thereto.

WHEREFORE, Plaintiff Joshua L. Barricks respectfully requests that the Court grant this Motion and enter an order excluding Captain Webb's opinions from the trial of this matter.

Respectfully submitted this 3rd day of July, 2024.

**JOSHUA L. BARRICKS**

By: /s/ Jared A. Tuck  
Counsel

Matthew W. Broughton (VSB No. 25226)  
E. Scott Austin (VSB No. 41260)  
Jared A. Tuck (VSB No. 98429)  
GENTRY LOCKE  
10 Franklin Road S.E., Suite 900  
P.O. Box 40013  
Roanoke, Virginia 24022-0013  
Telephone: (540) 983-9300  
Facsimile: (540) 983-9400  
broughton@gentrylocke.com  
saustin@gentrylocke.com  
jtuck@gentrylocke.com  
*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 3, 2024, a copy of the foregoing was electronically filed with the Clerk using the CM/ECF system, which will send notification of such filing to all other counsel of record.

/s/Jared A. Tuck  
Counsel